

FORM PTO-1399  
REV. 2/01T

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

07241.0017

U.S. APPLICATION NO.  
(If known, see 37CFR1.5)

10/049,239

#4

INTERNATIONAL APPLICATION NO.

PCT/JP00/05416

INTERNATIONAL FILING DATE

August 11, 2000

PRIORITY DATE CLAIMED

August 11, 1999

TITLE OF INVENTION

ANALYZING CARTRIDGE AND LIQUID FEED CONTROL DEVICE

APPLICANT(S) FOR DO/EO/US


Nobuya KITAGUCHI and Akira KIGUCHI

Applicant(s) herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2)).
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau.
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed with the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154 (d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)).
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ Information Disclosure Statement under 37 CFR 1.97 and 1.98
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A Substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154 (d)(4).
19. ☐ A second copy of the English language translation of the international application 35 U.S.C. 154 (d)(4).
20. ☒ Other items or information:
  - a. ☒ Copy of Notification of Missing Requirements.
  - b. ☒ Copy of Postcard dated February 11, 2002.
  - c. ☒ Copy Declaration and Power of Attorney
  - d. ☒ Response to Notification of Missing Requirements

|   |              |   |   |   |    |
|---|--------------|---|---|---|----|
| U.S. APPLICATION NO. (If known, see 37CFR 1.5)<br>10/049,239  |              | INTERNATIONAL APPLICATION NO.<br>PCT/JP00/05416 |   | ATTORNEY'S DOCKET<br>NUMBER<br>07241.0017 |    |
| 21. <input checked="" type="checkbox"/> The following fees are submitted:<br><b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b><br><br>Neither international preliminary examination fee (37 CFR 1.482)<br>nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO<br>and International Search Report not prepared by the EPO or JPO ..... <b>\$1040.00</b><br><br>International preliminary examination fee (37 CFR 1.482) not paid to<br>USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$890.00</b><br><br>International preliminary examination fee (37 CFR 1.482) not paid to<br>USPTO but International Search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$740.00</b><br><br>International preliminary examination fee (37 CFR 1.482) paid to USPTO<br>but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$710.00</b><br><br>International preliminary examination fee (37 CFR 1.482) paid to<br>USPTO and all claims satisfied provisions of PCT Article 33 (1)-(4) ..... <b>\$100.00</b><br><br><div style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div> |              |   |   | CALCULATIONS PTO USE ONLY                 |    |
|   |              |   |   |   |    |
| Surcharge of \$130.00 for furnishing the oath or declaration later than <span style="float: right;"><input type="checkbox"/> 20   <input type="checkbox"/> 30</span><br>months from the earliest claimed priority date (37 CFR 1.492 (e)).  |              |   |   | \$  |    |
| CLAIMS  | NUMBER FILED | NUMBER EXTRA                                    | RATE  |   |    |
| Total Claims  | - 20 =       | 1   | x \$18.00   | \$18.00                                   |    |
| Independent Claims  | - 3 =        |   | x \$84.00   | \$  |    |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)   |              |   | +\$280.00   | \$  |    |
| <b>TOTAL OF THE ABOVE CALCULATIONS =</b>  |              |   |   | \$18.00                                   |    |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.  |              |   |   | \$  |    |
| <b>SUBTOTAL =</b>   |              |   |   | \$18.00                                   |    |
| Processing fee of \$130.00 for furnishing the English translation later than <span style="float: right;"><input type="checkbox"/> 20   <input type="checkbox"/> 30</span><br>months from the earliest priority date (37 CFR 1.492(f)).  |              |   |   | \$  |    |
| <b>TOTAL NATIONAL FEE =</b>   |              |   |   | \$18.00                                   |    |
| Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by<br>an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.   |              |   |   | \$  |    |
| <b>TOTAL FEES ENCLOSED =</b>  |              |   |   | \$18.00                                   |    |
| 06/20/2002 MKAYPAGH 00000035 10049239<br>01 FC:966 <span style="float: right;"><del>18.00</del> 07</span>   |              |   |   | Amount to be<br>refunded:                 | \$ |
|   |              |   |   | charged:                                  | \$ |
| a. <input type="checkbox"/> A check in the amount of \$ <u>18.00</u> to cover the above fees is enclosed.<br>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.<br>A duplicate copy of this sheet is enclosed.<br>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to<br>Deposit Account No. <u>06-0916</u> . A duplicate copy of this sheet is enclosed.<br>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card</b><br><b>information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.  |              |   |   |   |    |
| NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b))<br>must be filed and granted to restore the application to pending status.   |              |   |   |   |    |
| <b>SEND ALL CORRESPONDENCE TO:</b><br>Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P.<br>1300 I Street, N.W.<br>Washington, D.C. 20005-3315  |              |   |   |   |    |
| DATED: June 17, 2002  |              |   | <br>SIGNATURE<br>Ernest F. Chapman/25,961 |   |    |
|   |              |   | NAME/REGISTRATION NO.   |   |    |

Customer No. 22,852  
Attorney Docket No. 07241.0017

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                              |   |                              |
|------------------------------|---|------------------------------|
| In re Application of:        | ) |                              |
|                              | ) |                              |
| Nobuya KITAGUCHI et al.      | ) |                              |
|                              | ) | Group Art Unit: Not assigned |
| Serial No.: 10/049,239       | ) |                              |
|                              | ) | Examiner: Not assigned       |
| Filed: February 11, 2002     | ) |                              |
|                              | ) |                              |
| For: ANALYZING CARTRIDGE AND | ) |                              |
| LIQUID FEED CONTROL DEVICE   | ) |                              |

**Assistant Commissioner for Patents  
Washington, DC 20231**

Attention:

**BOX PCT**

Sir:

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS ISSUED IN  
ERROR**

The Notification of Missing Requirements dated April 17, 2002, indicates that the oath or declaration is missing in the above-identified patent application. It is respectfully submitted that this notice has been issued in error and should be withdrawn.

In response to the Notification of Missing Requirements enclosed is the Declaration filed on February 11, 2002, with the application. Also enclosed is a copy of the receipt card from OIPE dated February 11, 2002, to corroborate that the declaration was filed on that date.

FINNEGAN  
HENDERSON  
FARABOW  
GARRETT &  
DUNNER LLP

1300 I Street, NW  
Washington, DC 20005  
202.408.4000  
Fax 202.408.4400  
www.finnegan.com

In view of the fact that the declaration was filed on February 11, 2002, applicants submit that the requirement for submission of a new declaration has been made in error. All of the requirements under 35 U.S.C. 371 were met on February 11, 2002, including the payment of a filing fee of \$1,260.00 and authorization to charge any additional filing fees to the designated deposit account. (See p.2 of the transmittal letter). Accordingly, it is respectfully requested that the requirement of a surcharge fee of \$130.00 be withdrawn and that the applicants be accorded a date of February 11, 2002, under 35 U.S.C. § 371. However, if it is determined that such a surcharge fee is required, authorization is given to charge the fee to our deposit account no. 06-0916.

Applicants have determined that the additional claims fee of \$18.00 for 6 total claims over should have been paid on February 11, 2002, and should have been charged to deposit account no. 06-0916 on February 11, 2002 as authorized in the transmittal letter filed February 11, 2002. However, since the fee was not charged to the deposit account, applicants enclose a check for \$18.00 for the additional claims fees.

Please associate this Declaration with the application as filed on February 11, 2002, and assigned serial number 10/049,239.

FINNEGAN  
HENDERSON  
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Customer No. 22,852  
Attorney Docket No. 07241.0017

Respectfully submitted,

FINNEGAN, HENDERSON,  
FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: June 17, 2002

By:   
Ernest F. Chapman  
Reg. No. 25,961

Enclosures  
EFC/FPD/dvz

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7241.0017

ASG/USD

**PLEASE STAMP TO ACKNOWLEDGE RECEIPT OF THE FOLLOWING:**

National Stage of International Application No. PCT/JP00/05416 under 35 U.S.C. 371, for ANALYZING CARTRIDGE AND LIQUID FEED CONTROL DEVICE

Inventors: Nobuya KITAGUCHI and Akira KIGUCHI

**BOX PCT**

1. Check in the amount of \$1300
2. Transmittal Letter concerning a filing under 35 U.S.C. 371. (Duplicate)
3. English translation of International application No. PCT/JP00/05416, comprising 124 sheets, including 25 claims, and 11 sheet(s) of drawings.
4. Declaration of the inventors.
5. Assignment Recordation Form Cover Sheet.
6. Assignment document for recording.
7. Copy of cover page of International Publication No. WO 01/13127

Dated February 11, 2002  
Docket No.: 07241.0017  
CUSTOMER NUMBER: 22,852  
ASG/FPD/dvz Mail Drop 360



(Due Date: February 11, 2002)

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